

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 442 be amended to read as follows:

- 1           Page 5, between lines 14 and 15, begin a new paragraph and insert:"(c) If
- 2       **the court finds that the privilege is asserted for a fraudulent**
- 3       **purpose, the court shall award reasonable attorney fees to be paid**
- 4       **by the insurer to the pleading party."**

(Reference is to SB 442 as printed January 30, 2004.)

---

Senator LANANE